

Claim Rejections-35 U.S.C. §103

Claims 8, 12, 13 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roberts (U.S. Pat. No. 3,820,434) in view of Sperzel (U.S. Pat. No. 5,492,044). Claims 9 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roberts in view of Sperzel and Nilsson et al. (U.S. Pat. No. 5,268,971). The Examiner states that Roberts shows different colored strings and that Sperzel shows different sized strings and takes a position that it would have been obvious to modify the strings of Roberts to have different sizes in view of Sperzel.

The Examiner's rejection is respectfully traversed on the grounds that it would not have been obvious to modify the colored strings of Roberts to have different sizes in view of Sperzel.

Applicant is asserting commercial success to support its contention of nonobviousness. In this regard, attached is a Declaration Under 37 C.F.R. §1.132 by the inventor, Mr. Mark Dronge, describing the commercial success for the embodiments of the invention set forth in at least independent claims 8 and 13, the broadest of the rejected claims. Among other things, Mr. Dronge describes the manner in which these embodiments have been commercialized and provides facts and information which establish a connection or nexus between the claimed embodiments and specific financial benefits obtained by the commercialization thereof.

In view of the content of the Declaration, it is respectfully submitted that applicant has established commercial success for the claimed embodiments.

Independent of the commercial success, applicant is also asserting the existence of a long-felt but unsolved need for an effective guitar instruction system. Objective evidence of the existence of the need to provide an effective guitar instruction system is set forth in an accompanying Declaration Under 37 C.F.R. §1.132 by Mr. Daniel Mari. In his Declaration, Mr. Mari states that one of the recognized and persistent problems in the string business is how to enable people to learn how to play string instruments and in view of his extensive background in the field, asserts that he is aware of a variety of different

techniques to enable people to learn how to play string instruments, including that described in Roberts. Mr. Mari further states that Roberts' system was not commercialized and that the problem to enable people to easily learn how to play a string instrument, while providing quality sound, was not solved by Roberts.

Mr. Mari further states that the subject of the instant application provides a new solution to the problem of learning how to play string instruments such as the guitar while obtaining quality sound, namely, by providing strings in a single set which are colored and sized differently.

Based on the contents of Mr. Mari's Declaration, it can be gleaned that the invention satisfies a long-felt need (as further evidenced by the financial benefits arising from the invention described in Mr. Dronge's Declaration discussed above), the problem of enabling people to learn how to play string instruments was recognized by those of ordinary skill in the art and this problem was not satisfied by others before the invention of the set of strings in accordance with the invention by the inventor, Mr. Dronge. Thus, all of the conditions for establishing long-felt need are present.

In view of the above-discussed Declarations establishing commercial success and the presence of a long-felt but unresolved need, it is respectfully submitted that it would not have been obvious to one of ordinary skill in the art to modify the strings of Roberts to have different sizes in view of Sperzel.

In view of the arguments presented above, it is respectfully submitted that the Examiner's rejections of claims 8, 9, 12-14 and 17 under 35 U.S.C. §103(a) as being unpatentable over Roberts in view of Sperzel alone or in combination with Nilsson et al. have been overcome and should be removed.

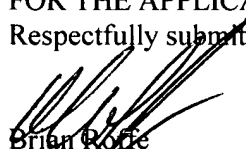
Interview Request

If the Examiner should determine that the application can be placed into condition for allowance in light of the above arguments, the Examiner is respectfully requested to contact the undersigned to discuss the application.

Appl. No. 10/620,235
Response dated Apr. 29, 2005
Reply to Office Action of Feb. 4, 2005

An early and favorable action on the merits is earnestly solicited.

FOR THE APPLICANT
Respectfully submitted,



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